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*The Law and Custom of the Constitution. Part II: The Crown.*

By Sir WILLIAM R. ANSON, D.C.L. Oxford, at the Clarendon Press, 1892. — xxiv, 494 pp.

The first volume of Sir William R. Anson's great work appeared in 1886, and was reviewed in the *POLITICAL SCIENCE QUARTERLY* (vol. i, p. 501) at that time. Heretofore students of the British constitution, when investigating the questions pertaining to the crown, have been obliged to have recourse to the learned treatise of the great German jurist, Professor Dr. von Gneist, *Das Englische Verwaltungsrecht*. No book in the English language existed, which gave anything like a satisfactory account of the origin, history, prerogatives, powers and procedures of the crown. Students, therefore, who were not masters of the German language were debarred from attaining with any degree of ease, if at all, a satisfactory knowledge of this subject. The labors of Sir William R. Anson have now removed this difficulty entirely. He has made it possible for any student of average ability, by a month's close reading, to secure a full and an accurate knowledge of this most intricate and important part of the British constitution. There is so much to be said in commendation of this great work and so little to be said in criticism of it, that a review of its contents can amount to but little more than a *compte-rendu*.

The author begins by conveying the idea of what the crown is through the conception of the prerogative. His description of the historical development of the prerogative in this chapter is masterly, though the criticism upon Professor Dicey's definition of the prerogative appears somewhat faulty and strained. After fixing the idea of the crown, the author develops the law of the title to the crown and of the relation between the wearer of the crown and the subject. Then follow the chapters describing the bodies which advise the crown — the cabinet, the House of Lords and the privy council — and the governmental departments through which the powers of the crown are executed. Special chapters are devoted to the diplomatic, financial and military administration, in which these most important functions of the crown are treated with great accuracy and much minuteness. The last two chapters of the book introduce the reader to the very interesting problems involved in the relations of the crown to the churches and to the courts. It seems to me that the author has done the best work of his book in the last chapter. It is by far the most satisfactory account of the present judicial system of the British Empire with which I am acquainted. An appendix containing a collection of the forms used by the crown in administering the government is a highly valuable part of the book.

As I said at the beginning I find little in this truly great work which is open to criticism. Its nomenclature is sometimes a little confusing to an American reader. The author does not make those distinctions between society and the state and between the state and the government, to which Americans are accustomed. But we must remember that the English constitution itself does not realize these distinctions in institutions with anything like the degree of completeness that is to be found in American constitutions.

No library of political science and public law will hereafter be complete without Sir William R. Anson's work.

JOHN W. BURGESS.

*The Clarke Papers.* Edited by C. H. Firth. Volume I. Printed for the Camden Society, 1891. — 442 pp.

William Clarke was secretary to the Council of the Army from 1647 to 1649, and from 1651 to the Restoration was secretary to General Monk and the army of occupation in Scotland. His voluminous papers have till recently lain unused in the library of Worcester College, Oxford. Mr. Firth has now, with great knowledge and care, edited that part of the collection which concerns the events of 1647. It consists of news-letters written from London and from the army, correspondence of the Agitators and debates of the Council of the Army. Taken together these form one of the most important contributions ever made to our knowledge of the struggle between the Parliament and the army, while they for the first time reveal in a clear light the conflicts of opinion within the army itself. They help to clear up a variety of obscure and disputed points in the career of Cromwell. Not the least valuable feature of the collection is a number of hitherto unpublished speeches of Cromwell, enough to fill some thirty quarto pages. The debates also show that Henry Ireton was the ablest political thinker in the army, and that upon him chiefly devolved the task of combating the opinions of the Levellers. The debates are preserved in the form of notes taken by Clarke. These are imperfect and often obscure, but Mr. Firth, by careful transpositions of the text and by the addition of paraphrases in the form of footnotes, has in nearly all cases succeeded in making the meaning of the speakers clear. An elaborate and scholarly preface supplies the historic connections which make the documents intelligible.

The material contained in this volume illustrates more or less fully the events in the quarrel between Parliament and the army from its beginning in March, 1647. Early in June the Council of the Army was formed. It consisted of the generals, together with two commissioned officers and two privates chosen from each regiment. By this act the